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EXAMINER

REID, CHERYL M

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2142

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/998,095

Applicant(s)

PRESLEY, DARRYL LEE

Examiner

Cheryl M. Reid

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-11,14-37 and 39-49 is/are pending in the application.
- 4a) Of the above claim(s) 6,12,13 and 38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-11,14-37 and 39-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 020205.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-49 have been examined.

Response to Arguments

2. Applicant's arguments with respect to claim 1-49 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. ***Claims 1, 2,3,4,5,39,40,41,47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandahl et al (US 6098098) hereinafter Sandahl, and further in view of Wolf et al (20020178380).***

5. In regards to claim 1, Sandahl teaches of: a plurality of components, each component storing a configuration comprising a set of configuration parameters (Col 2, lines 55-60), a server (Fig 1), configured to register each of the plurality of components, performing dynamic probing operations to identify configuration changes made to the configuration of each of the plurality of components ... (Col 6, lines 9-15), validating configuration changes (Col 6, lines 23-30). Sandahl does not explicitly teach of the

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remaining limitations. In an analogous art, Wolf teaches of a repository that stores information about a configuration policy (Paragraph [0015, 0017]) and validating against the configuration policy to determine whether the configuration changes conform to the configuration policy (Paragraph [0029]). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the teachings of Wolf because the inventions are analogous art. One of ordinary skill in the arts at the time of invention would have been motivated for the reasons discussed by Wolf (Paragraph [0012-0013]).

6. In regard to claim 2, Sandahl does not explicitly teach of the remaining limitations. Wolf teaches of configuration policy.....a value range (Paragraph [0150,0151,0152]). See claim 1 for motivation.

7. In regards to claim 3, Sandahl teaches of a first service for changing a value....(Fig 6), a second service for auditing (assess) (Col 8, lines 50-51), a fourth service for acquiescing... (Col 8, lines 52-55) but does not explicitly teach of remaining limitation. Wolf teaches of a third service for generating an alert (Paragraph [0107]). See claim 1 for motivation.

8. In regards to claim 4, Sandahl teaches of a log storing(Col 6, lines 24-28). See claim 1 for motivation.

9. In regards to claim 5, Sandahl teaches of a configuration and validation module for performing impact analysis (Col 10, lines 35-40, Col 2, lines 53-55) . See claim 1 for motivation.

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10. In regards to claim 39, Sandahl does not explicitly teach of the remaining limitations. Wolf teaches of the information indicates a relationship dependency..(Paragraph [0116-0117]). See claim 1 for motivation.

11. In regards to claim 40, Wolf teaches ofvalidates the configuration , for first component ... (Par[0116-0117]). See claim 1 for motivation.

12. In regards to claim 41, Wolf teaches of information includes...(Paragraph [0108,0116-0117]). See claim 1 for motivation

13. In regards to claim 47, Sandahl does not explicitly teach of the limitation. Wolf teaches of the relationship dependency comprises one of one-way....(Paragraph [0094]). See claim 1 for motivation.

14. Claim 7,8,9,10,11,42,43,44,45,46,48,49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandahl and Wolf , and further in view of Novaes et al (US 6847993) hereinafter Novases.

15. In regards to claim 7, Sandahl teaches of : registering with the server each of a plurality of components (Col 4 , lines 32-42). It should be noted that although Sandahl did not explicitly state that components were registered, this is implicitly taught. The act of storing configuration files for each component, implies that the component is registered in the file server, performing dynamic probing operations to identify configuration changes made to a configuration of each of the plurality of components (Col 6, lines 9-15) and validating at the server the identified configuration changes (Col

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6, lines 23-30). Shandahl does not explicitly teach of remaining limitations. In an analogous art, Wolf teaches of a repository that stores information about a configuration policy (Paragraph [0015, 0017]) and identify against the configuration policy to determine whether the configuration changes conform to the configuration policy (Paragraph [0029]). Wolf does not explicitly teach of the repository having access to a server. In an analogous art, Novases teaches on this aspect (Col 5, lines 55-60). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the teachings of Wolf and Novases because the inventions are analogous art. One of ordinary skill in the arts at the time of invention would have been motivated for the reasons discussed by Wolf (Paragraph [0012-0013]).

16. In regard to claim 8, Sandahl does not explicitly teach of the remaining limitations. Wolf teaches of configuration policy.....a value range (Paragraph [0150,0151,0152]). See claim 1 for motivation.

17. In regards to claim 9, Sandahl teaches of a first service for changing a value....(Fig 6), a second service for auditing (assess) (Col 8, lines 50-51), a fourth service for acquiescing... (Col 8, lines 52-55) but does not explicitly teach of remaining limitation. Wolf teaches of a third service for generating an alert (Paragraph [0107]).

See claim 7 for motivation.

18. In regards to claim 10, Sandahl teaches of a log storing(Col 6, lines 24-28).

See claim 7 for motivation.

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19. In regards to claim 11, Sandahl teaches of a configuration and validation module for performing impact analysis (Col 10, lines 35-40, Col 2, lines 53-55) . See claim 7 for motivation.

20. In regards to claim 42, Sandahl does not explicitly teach of the remaining limitations. Wolf teaches of the information indicates a relationship dependency..(Paragraph [0116-0117]). See claim 7 for motivation.

21. In regards to claim 43, Wolf teaches ofvalidates the configuration , for first component ... (Par[0116-0117]). See claim 7 for motivation.

22. In regards to claim 44, Wolf teaches of information includes...(Paragraph [0108,0116-0117]). See claim 7 for motivation

23. In regards to claim 45, Sandahl teaches ofa change to a configuration parameter ... (Col 6, lines 10-20).

24. In regards to claim 46, Sandahl teaches ofa master set of configuration parameters.. (col 2, lines 35-40, Col 4, lines 35-40).

25. In regards to claim 48, Sandahl does not explicitly teach of the limitation. Wolf teaches of the relationship dependency comprises one of one-way....(Paragraph [0094]). See claim 7 for motivation.

26. In regards to claim 49, Sandahl teaches of a computer-readable storage medium....(Col 10, lines 65-67, col 11, lines 1-5).

27. Claim 14,15,16,17,18,20,21,22,23,25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandahl ,Wolf and Novaes et al (US 6847993)

hereinafter Novases and further in view of Teloh et al (US 6917929) hereinafter Teloh.

28. In regards to claim 14, Sandahl teaches of : a plurality of components, wherein each component, of the plurality of components comprises a client module for accessing configuration parameters (Fig 1, Col 2, lines 65-67, Col 3 lines 1-5), a management server which maintains a repository (Col 4, lines 23-30) . Sandahl teaches of a least one service interface (Fig 1) for retrieving the configuration of a particular component, of the plurality of component , by communicating with the client module (computer device) associated with the particular component (Fig 1, Col 2, lines 65-67, Col 3 lines 1-10) Sandahl does not explicitly teach of the remaining limitations. Wolf teaches of a repository for storing information about a configuration policy (Paragraph [0015, 0017]) and a management console capable of accessing the repository (Paragraph [0015]) but does not explicitly teach of the remaining limitations. In an analogous art, Teloh teaches of a parser for extracting the configuration parameters from each retrieved configuration (Col 1, lines 44-46). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art. One of ordinary skill in the arts at the time of invention would have been motivated for the reasons discussed by Teloh (Col 1, lines 35-39).

29. In regard to claim 15, Sandahl teaches of at least one adapter for(Col 8, lines 45-50).

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30. In regard to claim 16, Sandahl teaches of ...for dynamically probing.. (col 6, lines 8-12).

31. In regards to claim 17, Sandahl teaches of an impact analyzer for(Col 2, lines 53-55) but does not explicitly teach of ...dependency tree. Wolf teaches on this (Paragraph [0084]). See claim 14 for motivation.

32. In regard to claim 18, Sandahl teaches of a change manager for (Col 8, lines 45-5).

33. In regards to claim 20, Sandahl does not teach on this aspect. Wolf teaches of the configuration policy is expressed in a set(fig 9, Paragraph [0084]). See claim 14 for motivation.

34. In regards to claim 21, Sandahl teaches of managing the configuration parameters of the configuration of the plurality of components, advising an administrator about the configuration parameters of the configuration of the plurality of components and acquiescing the modification of the configuration parameters of the configuration of the plurality of components (Col 8, lines 45-67) but does not explicitly teach of the remaining limitations. In an analogous art, Wolf teaches of sending an alert (Paragraph [0107]). See claim 14 for motivation.

35. In regards to claim 22, Wolf teaches of a browsing service..(Fig 8). See claim 14 for motivation.

36. In regards to claim 23, Sandahl teaches of a management configuration module for registering ...(Col 4, lines 32-42).

37. In regards to claim 25, Sandahl teaches of at least one of(Fig 1).

38. Claims 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandahl ,Wolf and Novaes et al (US 6847993) hereinafter Novases and Teloh et al (US 6917929) hereinafter Teloh as applied to claim 14 above, and further in view of Singer et al (US 6834298) hereinafter Singer.

39. In regards to claim 19 and 24, neither of the above cited references explicitly teaches of the limitations, in an analogous art, Singer teaches of a set of one or more XML documents... (Col 4, lines 1-6, Col 16, lines 65-67). See claim 14 for motivation.

40. Claim 26,27,28,29,30,32,33,35,37 are rejected under 35 U.S.C. 103(a) as being unpatentable unpatentable over Sandahl ,Wolf and further in view of Teloh et al (US 6917929) hereinafter Teloh.

41. In regards to claim 26, Sandahl teaches of retrieving the configuration of each of a plurality of components by communicating with a corresponding client module residing at each component of the plurality of components (Fig 1, Col 2, lines 65-67, Col 3 lines 1-10) but does not explicitly teach of the remaining limitations. In an analogous art, Wolf teaches of maintaining a repository for storing information about a configuration policy (Paragraph [0015, 0017] and validating each extracted configuration parameter against the configuration policy (Paragraph [0029]) but does not explicitly teach of the remaining limitations. In an analogous art, Teloh teaches of extracting from each

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configuration retrieved, a set of configuration parameters (col 1, lines 40-45). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art. One of ordinary skill in the arts at the time of invention would have been motivated for the reasons discussed by Teloh (Col 1, lines 35-39

42. In regard to claim 27, Sandahl teaches of at least one adapter for(Col 8, lines 45-50).

43. In regard to claim 28, Sandahl teaches of ...for dynamically probing.. (col 6, lines 8-12).

44. In regards to claim 29, Sandahl teaches of an impact analyzer for(Col 2, lines 53-55) but does not explicitly teach of ...dependency tree. Wolf teaches on this (Paragraph [0084]). See claim 26 for motivation.

45. In regards to claim 30, Wolf teaches of the configuration policy defines...(paragraph [0017], (Paragraph [0150,0151,0152])). See claim 26 for motivation.

46. In regards to claim 32, see the discussion of claim 21. See claim 26 for motivation.

47. In regards to claim 33, see the discussion of claim 21. See claim 26 for motivation.

48. In regards to claim 35, see the discussion of claim 23. See claim 26 for motivation.

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49. In regards to claim 37, see the discussion of claim 23. See claim 26 for motivation.

50. Claim 31 ,34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable unpatentable over Sandahl ,Wolf Teloh et al (US 6917929) hereinafter Teloh and further in view of Singer et al (US 6834298) hereinafter Singer.

51. In regards to claim 31 and 36 see the discussion of claim 19 and 24. See claim 26 for motivation.

52. In regards to claim 34, none of the above cited references explicitly teach about the limitations, Singer teaches of providing a browser service...(Fig 19A-19E). See claim 26 for motivation.

Conclusion

53. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

54. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmr


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